



**NOAA
FISHERIES**

Headquarters



HMS Enforcement Overview

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NOAA Office of Law Enforcement

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The **Enforcement Section** coordinates and implements the NOAA General Counsel's delegated authority as NOAA's civil prosecutor.

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The office prosecutes civil penalty cases, permit sanctions, and administrative forfeitures; provides support to the U.S. Department of Justice in prosecution of law enforcement cases in Federal courts and formulates NOAA's position in such cases; establishes national law enforcement policy in conjunction with the [NOAA Office of Law Enforcement](#) and NOAA program offices; provides legal support to the [NOAA Office of Law Enforcement](#) and other NOAA offices, including the [Office of Sustainable Fisheries](#), the [Office of Protected Resources](#), and the [Office of National Marine Sanctuaries](#); and advises NOAA officials on specific enforcement cases and general enforcement trends and issues.

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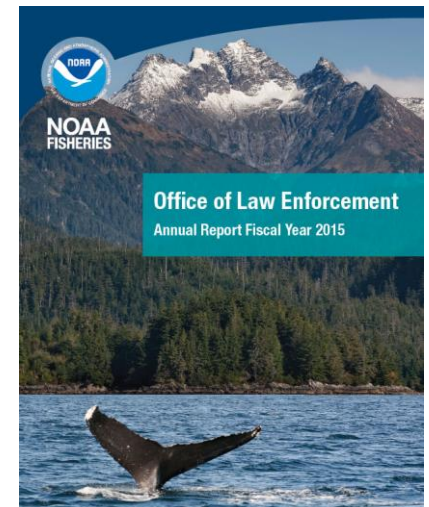
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OLE Strives to Safeguard Bluefin Tuna

Tunas are one of several highly regulated species for which special care and attention is needed to ensure the stability of the fish.
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Northeast Enforcement Division

- A Northeast Division enforcement officer (EO) issued a \$500 Summary Settlement to a recreational angler who retained an undersized white marlin. The initial case referral was received from our Delaware JEA partner who provided support and resources throughout the investigation. The Summary Settlement was paid by the subject.
- A NOAA enforcement officer responded to a complaint concerning the owner/operator of a recreational FV that landed yellowfin tuna without a HMS permit. The EO resolved the incident with education and outreach.



Northeast Enforcement Division - Continued

- An EO issued a \$750 Summary Settlement to a charter/headboat captain who sold yellowfin tuna to a non-federally permitted dealer. F/V operator was documented selling 2 YFT at a roadside stand. Initial violation detected by OLE JEA partner MD DNR.
- An enforcement officer investigated a report of a Porbeagle shark taken with an unauthorized gear type (harpoon) and possibly without a proper permit in Marshfield, MA. Incident was resolved with a verbal warning for unauthorized use of a harpoon. Vessel operator was properly permitted.



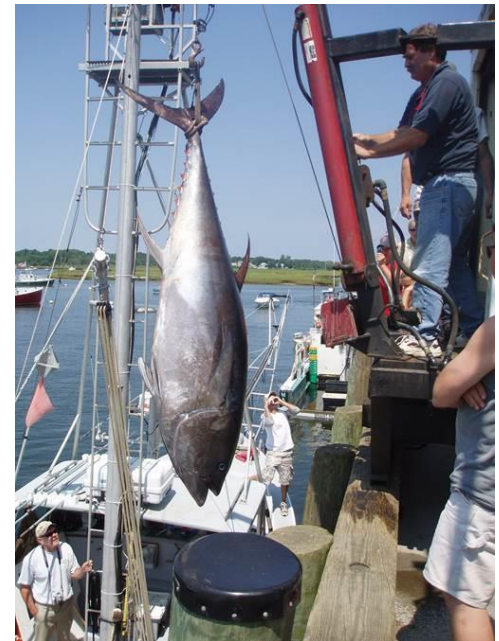
Northeast Enforcement Division - Continued

- In October 2015, a NOAA EO issued a \$1,000 Summary Settlement to a charter boat captain, who on two separate occasions, failed to report the landing of a swordfish and white marlin.
- In February of 2016, an EO, SEO, Port Agent, and HMS HQ personnel attended George Poveromo's Bass Pro Shops Seminar Series in Lindwood, NJ. Over 480 participants attended, with an estimated 80-90% of the participants fish for HMS tuna and billfish. OLE conducted education and outreach concerning required reporting of Bluefin tuna, as well as the safe handling and release of billfish.



Northeast Enforcement Division - Continued

- In March 2016, twelve (12) NOAA enforcement officers and special agents from the SED, NED, and FLETC participated in blue fin tuna saturation patrols at the Outerbanks, NC. Forty-one (41) vessels were boarded including commercial, charter, and recreational HMS vessels.



Southeast Enforcement Division

- A Corpus Christi special agent completed an investigation concerning the operator of a recreational fishing vessel who landed and retained a seventy-five pound white marlin during the 2015 Texas International Fishing Tournament (TIFT) without a HMS permit. A Written Warning was issued to the vessel's owner, and a HMS permit was obtained by the subject.
- An enforcement officer from Charleston, SC conducted a roadside seafood vendor inspection. During the inspection, 5 sharks were identified as Atlantic sharpnose which were closed for commercial harvest in the area. OLE and SCDNR interviewed the subject, who maintained that the sharks were caught in SC state waters. The SCDNR officer explained that SC adopts federal shark regulations and applies them to state waters and issued a \$450 state ticket for commercially harvesting closed season sharks.

Southeast Enforcement Division - Continued

- In February of 2016, a NOAA enforcement officer in SC completed an Atlantic HMS case where the subject did not hold a valid permit. The case was initiated by a USCG boarding where the subject was found with one yellowfin tuna and an expired HMS permit. The subject was able to obtain a new permit and the EO issued a verbal warning.
- GCES advised that a Notice of Violation and Assessment (NOVA) administrative penalty in the amount of \$62,625.00 was issued to a seafood importer in Oakland Park, Florida. The investigation documented 114 imports of sharks/shark fins between January 1, 2011 and March 3, 2015 without the required International Trade Permit (ITP) in violation of the Magnuson-Stevens Fisheries Conservation Management Act.



Southeast Enforcement Division - Continued

- An enforcement officer monitored a swordfish offload near Charleston, SC and inspected their gear, permits, and catch. One Oceanic White Tip Shark was located in the fish hold which is a prohibited species when using a pelagic longline gear. The operator stated he did not know it was prohibited however he did possess a HMS compliance guide on board the vessel. The enforcement officer showed the operator the prohibition in the compliance guide and issued a \$275.00 Summary Settlement.



Southeast Enforcement Division - Continued

- A Port Orange, FL special agent issued a \$1000 Summary Settlement Offer (SSO) to a vessel operator for failing to have a HMS angling permit and for possessing an undersized sailfish. The case was initiated by Florida Fish and Wildlife Conservation Commission (FL FWC) officers on a Joint Enforcement Agreement (JEA) patrol approximately 20 miles east of Ponce de Leon Inlet. A boarding of a sport fishing vessel revealed an undersized sailfish and the operator did not have an HMS angling permit.



Questions?

